

August 6, 2021

The Honorable Deidre M. Henderson
Utah Lieutenant Governor's Office
Utah State Capitol Building, Suite 220
Salt Lake City, UT 84114

RE: Utahns for Fair Elections Initiative Application

Lieutenant Governor Henderson:

We submit herewith the Utahns for Fair Elections Initiative Petition Application. We are the sponsors of this Initiative. We note that persons gathering signatures for this Initiative may be paid for doing so.

The purpose of the initiative is to give voters more choice and voice in our elections, to create healthier competition, and to encourage greater accountability among candidates and elected officials. This Initiative seeks to do so in three ways.

First, the Initiative seeks to implement a nonpartisan open primary system in which there is a single primary election, and the top five finishers for each office advance to the general election, regardless of party.

Second, this Initiative seeks to implement a general election system in which voters may rank candidates in order of preference, with instant runoffs taking place as needed until a candidate is elected by a simple majority of voters. Ranked-choice voting helps ensure that elections are fair, puts more power in the hands of voters, provides voters with more choices, and leads to more responsive and more accountable elected officials.

Third, this Initiative seeks to implement enhanced audit procedures to continue to ensure the integrity of elections in Utah, as well as transparency requirements to disclose publicly the results of election audits.

This initiative will inure to the benefit of voters throughout the state. We appreciate your service.

Sincerely,

Maury Giles
Calene Van Noy
Dr. Kevin Wilson
Emily Parrish
Dr. Taylor Webb
Jeff Whitlock
Nils Bergeson

Application for an Initiative or Referendum

Utah Code § 20A-7-202



PLEASE NOTE: A copy of the law must be attached to this application along with a statement indicating whether or not signature gatherers will be paid for their services.

Please type or print

Application must be completed by five sponsors

Sponsor Statement

I, Taylor Webb affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.

Name of Sponsor (please type or print)

1475 Evergreen Lane

Residence Address

TW

Sponsor's Signature

SLC UT 84106

City, State, Zip

801 597 8018

Phone Number

Notary Seal

taylorwebb85@gmail.com

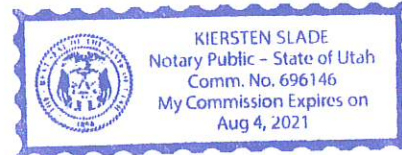
Email

Subscribed and affirmed before me this 3rd day of August 2021.

by

Kiersten Slade

Notary Public



Sponsor Statement

I, Maury Giles affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.

Name of Sponsor (please type or print)

6853 W CLEAR WATER DR

Residence Address

Maury Giles

Sponsor's Signature

HERRIMAN, UT 84096

City, State, Zip

512 656 3800

Phone Number

Notary Seal

seniorclie@gmail.com

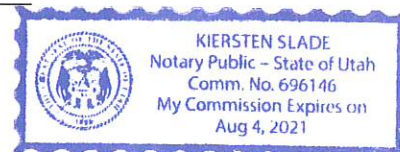
Email

Subscribed and affirmed before me this 3rd day of August 2021.

by

Kiersten Slade

Notary Public



To File This Form

Mail or deliver to:
Lieutenant Governor's Office
Utah State Capitol
Suite 220
Salt Lake City, UT 84114-2325
Fax (801) 538-1133

For More Information Call or Visit:

(801) 538-1041
1-800-995-VOTE (8683)
elections.utah.gov

Application for an Initiative or Referendum

Utah Code § 20A-7-202

Name of Organization

UTAHNS FOR FAIR ELECTIONS

Sponsor Statement

I, Calene Van Noy affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.
Name of Sponsor (please type or print)

870 S. Roueche Lane

Residence Address

Calene Van Noy

Sponsor's Signature

Kaysville UT 84037

City, State, Zip

801-529-2154

Phone Number

Notary Seal

Calenev@gmail.com

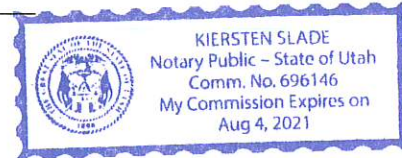
Email

Subscribed and affirmed before me this 3rd day of August 2021.

by

Kirsten Slade

Notary Public



Sponsor Statement

I, Emily Parrish affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.
Name of Sponsor (please type or print)

4723 Duftown Pl.

Residence Address

Emily Parrish

Sponsor's Signature

Murray, UT 84107

City, State, Zip

801-520-3265

Phone Number

Notary Seal

eparrish22@gmail.com

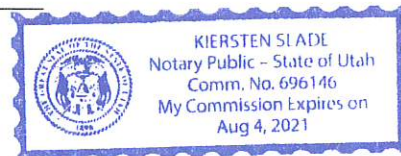
Email

Subscribed and affirmed before me this 4th day of August 2021.

by

Kirsten Slade

Notary Public



Application for an Initiative or Referendum

Utah Code § 20A-7-202

Name of Organization

UTAHNS FOR FAIR ELECTIONS

Sponsor Statement

I, Kevin Wilson affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.
Name of Sponsor (please type or print)

2481 East 3750 South
Residence Address

[Signature]
Sponsor's Signature

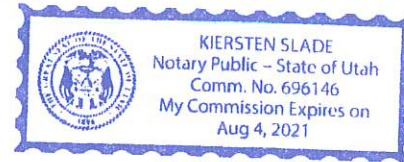
Salt Lake City, UT 84109 801-803-9712
City, State/Zip Phone Number

Notary Seal

Kevinfwilson@gmail.com
Email

Subscribed and affirmed before me this 4th day of August 20 21.

by Kiersten Slade
Notary Public



Application for an Initiative or Referendum

Utah Code § 20A-7-202

Name of Organization
Utahns for Fair Elections

Sponsor Statement

I, Nils Radford Bergeson affirm that I am a resident of Utah and I have voted in a regular
Name of Sponsor (please type or print) general election in Utah within the last three years.

544 S. 2330 W.

Residence Address

Nils Bergeson

Sponsor's Signature

Provo, Utah 84601

City, State, Zip

(435) 890-5125

Phone Number

Notary Seal

nils.bergeson@gmail.com

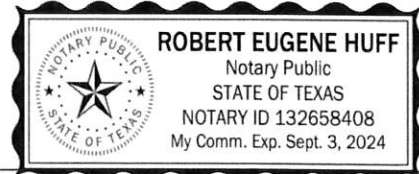
Email

Subscribed and affirmed before me this 4th day of August 2021.

by

Robert Eugene Huff

Notary Public



Application for an Initiative or Referendum

Utah Code § 20A-7-202

Name of Organization

Sponsor Statement

I, Jeffrey David Whitlock affirm that I am a resident of Utah and I have voted in a regular
Name of Sponsor (please type or print) general election in Utah within the last three years.

762 S 200 W

Residence Address

Jeffrey D Whitlock
Sponsor's Signature

Orem, Utah, 84058

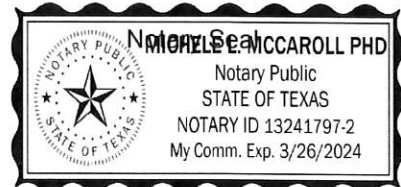
+1-801-628-1798

City, State, Zip

Phone Number

jeffrey.d.whitlock@gmail.com

Email



Subscribed and affirmed before me this 4th day of August 2021, This notarial act was an online notarization

by

Michele E McCarroll
Notary Public

State of Texas

County of Dallas

UTAHNS FOR FAIR ELECTIONS INITIATIVE

LONG TITLE

General Description:

This Initiative amends Title 20A (the Utah Election Code) of the Utah Code to (1) establish a single, nonpartisan, open primary election that guarantees the right of every Utah voter to participate and where the top five candidates advance to the general election, regardless of self-designated political party preference; (2) establish a general election where voters have the ability to rank candidates in order of preference, which will ensure that winning candidates receive a majority of the vote after instant runoffs; and (3) establish enhanced election audit procedures to be employed after each primary, general election, and special election as well as requirements for the public disclosure of the results of such audits.

Statement of Intent and Subject Matter:

Two changes to Utah's election system will give voters more choice and voice in our elections and create the environment for healthier competition and more responsive and accountable candidates and elected officials. The first change is a nonpartisan open primary system in which there is a single primary election. The top five finishers for each office in that single primary election will advance to the general election, regardless of party. This creates incentives for elected officials to be more responsive to all voters. The second change is a general election system in which voters may rank candidates in order of preference, with instant runoffs taking place as needed until a candidate is elected by a simple majority of voters. Ranked-choice voting helps ensure that elections are fair and puts more power in the hands of voters; it provides more candidate choices and mitigates problems of vote splitting, also known as the spoiler effect. The powerful combination of open top-five primaries and ranked-choice

voting in the general election will lead to more responsive elected officials who are more accountable to all voters. These two changes also create the environment for more civility in candidate campaigns and governing. The reforms proposed herein also include increased audit procedures to continue to ensure the integrity of elections in Utah as well as transparency requirements to disclose publicly the results of such audits.

Highlighted Provisions

This Initiative:

- Provides for a single, nonpartisan, open primary election that guarantees the right of every Utah voter to participate and where the top five candidates advance to the general election, regardless of self-designated political party preference;
- Provides for a general election where voters have the ability to rank candidates in order of preference, which will permit instant runoffs and ensure that winning candidates receive a majority of the vote;
- Establishes enhanced election audit procedures to be employed after each primary, general election, and special election as well as requirements for the public disclosure of the results of such audits; and
- Enacts a severability clause.

Monies Appropriated in this Initiative:

None

Utah Code Sections Affected:

ENACTS:

20A-1-309 Ranked-Choice and Instant Runoff Voting for General Elections.

AMENDS:

20A-1-102 Definitions.

20A-1-103 Severability clause.

20A-1-201.5 Primary election dates.

20A-1-303 Determining results.

20A-3a-202 Conduction election by mail.

20A-3a-203 Voting at a polling place.

20A-3a-803 Challenges to a voter's eligibility – Basis for challenge – Procedures.

20A-5-102 Voting instructions.

20A-6-203 Ballots for regular primary elections.

20A-6-203.5 Instant runoff voting ballot.

20A-6-301 Manual ballots – Regular general election.

20A-9-101 Definitions.

20A-9-202 Declarations of candidacy for regular general elections.

20A-9-403 Regular primary elections.

20A-9-405 Nomination petitions for regular primary elections.

20A-9-408 Signature-gathering process to seek the nomination of a qualified political party.

20A-9-408.5 Declaration of candidacy form for qualified political party.

20A-9-411 Signing multiple nomination petitions.

20A-9-501 Candidates not affiliated with a party -- General requirements.

20A-9-502 Certificate of nomination -- Contents -- Circulation -- Verification -- Criminal penalty.

20A-9-504 Unaffiliated candidates -- Governor and president of the United States.

20A-9-701 Certification of party candidates to county clerks -- Display on ballot.

REPEALS:

20A-9-406 Qualified political party – Requirements and exemptions.

20A-9-407 Convention process to seek the nomination of a qualified political party.

20A-9-409 Primary election provisions relating to qualified political party.

Other Special Clauses:

None

Be it Enacted by the People of the State of Utah:

SECTION 1. SECTION 20A-1-309 IS ENACTED TO READ

20A-1-309 Ranked-Choice and Instant Runoff Voting for General Elections.

(1) In a multi-candidate race at a general election, the election officer shall:

(a)

(i) conduct the general election using ranked-choice and instant runoff voting;

(ii) permit voters to rank candidates for office in order of the voter's preference;

(iii) conduct the first ballot-counting phase by counting the valid first preference votes for each candidate; and

(iv) if one of the candidates receives more than 50% of the valid first preference votes counted, declare that candidate elected;

(b) if, after counting the valid first preference votes for each candidate, no candidate receives more than 50% of the valid first preference votes counted, conduct the second ballot-counting phase by:

(i) excluding from the multi-candidate race:

(A) the candidate who received the fewest valid first preference votes counted; or

(B) in the event of a tie for the fewest valid first preference votes counted, one of the tied candidates, determined by the tied election officer by lot, in accordance with Subsection (5);

(ii) adding, to the valid first preference votes counted for the remaining candidates, the valid second preference votes cast for the remaining candidates by the voters who cast a valid first preference vote for the excluded candidate; and

(iii) if, after adding the votes in accordance with Subsection (1)(b)(ii), one candidate receives more than 50% of the valid votes counted, declaring that candidate elected; and

(c) if, after adding the valid second preference votes in accordance with Subsection (1)(b)(ii), no candidate receives more than 50% of the valid votes counted, conduct subsequent ballot-counting phases by continuing the process described in Subsection (1)(b) until a candidate receives more than 50% of the valid votes counted, as follows:

- (i) excluding the candidate who has the fewest valid votes counted or, in the event of a tie for the fewest valid votes counted, excluding one of the tied candidates, by lot in accordance with Subsection (5); and
- (ii) adding the next valid preference vote cast by each voter whose vote was counted for the last excluded candidate to one of the remaining candidates, in the order of the next preference indicated by the voter.
- (2) The election officer shall declare elected the first candidate who receives more than 50% of the valid votes counted under the process described in Subsection (1).
- (3)
- (a) A vote is valid for a particular phase of a multi-candidate race only if the voter indicates the voter's preference for that phase and all previous phases.
- (b) A vote is not valid for a particular phase of a multi-candidate race, and for all subsequent phases, if the voter indicates the same rank for more than one candidate for that phase.
- (4) If two or more candidates are to be elected to the office at the regular general election, the election officer shall count the votes by:
- (a) counting the votes in the same manner described in Subsections (1) through (3), until a candidate is declared elected; and
- (b) repeating the process described in Subsections (1) through (3), and reapportioning by preference the votes of those whose votes counted toward the candidate(s) already declared elected for that office, until the appropriate number of candidates are declared elected.
- (5) For each ballot-counting phase after the first phase, if two or more candidates tie as having received the fewest valid votes counted at that point in the ballot count, the election officer shall eliminate one of those candidates from consideration, by lot, in the following manner:
- (a) determine the names of the candidates who tie as having received the fewest valid votes for that ballot-counting phase;
- (b) cast the lot in the presence of at least two election officials and any counting poll watchers who are present and desire to witness the casting of the lot; and
- (c) sign a public document that:
- (i) certifies the method used for casting the lot and the result of the lot; and
- (ii) includes the name of each individual who witnessed the casting of the lot.
- (6) This Section shall not apply to the election of president and vice president of the United States.

SECTION 2. **SECTION 20A-1-102** IS AMENDED TO READ

20A-1-102 Definitions.

As used in this title:

- (1) "Active voter" means a registered voter who has not been classified as an inactive voter by the county clerk.
- (2) "Automatic tabulating equipment" means apparatus that automatically examines and counts votes recorded on ballots and tabulates the results.
- (3)
- (a) "Ballot" means the storage medium, including a paper, mechanical, or electronic storage medium, that records an individual voter's vote.

- (b) "Ballot" does not include a record to tally multiple votes.
- (4) "Ballot proposition" means a question, issue, or proposal that is submitted to voters on the ballot for their approval or rejection including:
- (a) an opinion question specifically authorized by the Legislature;
 - (b) a constitutional amendment;
 - (c) an initiative;
 - (d) a referendum;
 - (e) a bond proposition;
 - (f) a judicial retention question;
 - (g) an incorporation of a city or town; or
 - (h) any other ballot question specifically authorized by the Legislature.
- (5) "Bind," "binding," or "bound" means securing more than one piece of paper together using staples or another means in at least three places across the top of the paper in the blank space reserved for securing the paper.
- (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and 20A-4-306 to canvass election returns.
- (7) "Bond election" means an election held for the purpose of approving or rejecting the proposed issuance of bonds by a government entity.
- (8) "Business reply mail envelope" means an envelope that may be mailed free of charge by the sender.
- (9) "Canvass" means the review of election returns and the official declaration of election results by the board of canvassers.
- (10) "Canvassing judge" means a poll worker designated to assist in counting ballots at the canvass.
- (11) "Contracting election officer" means an election officer who enters into a contract or interlocal agreement with a provider election officer.
- (12) "Convention" means the political party convention at which party officers and delegates are selected.
- (13) "Counting center" means one or more locations selected by the election officer in charge of the election for the automatic counting of ballots.
- (14) "Counting judge" means a poll worker designated to count the ballots during election day.
- (15) "Counting room" means a suitable and convenient private place or room for use by the poll workers and counting judges to count ballots.
- (16) "County officers" means those county officers that are required by law to be elected.
- (17) "Date of the election" or "election day" or "day of the election":
- (a) means the day that is specified in the calendar year as the day that the election occurs; and
 - (b) does not include:
 - (i) deadlines established for voting by mail, military-overseas voting, or emergency voting; or
 - (ii) any early voting or early voting period as provided under Chapter 3a, Part 6, Early Voting.
- (18) "Elected official" means:
- (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project;
 - (b) a person who is considered to be elected to a municipal office in accordance with Subsection 20A-1-206(1)(c)(ii); or

- (c) a person who is considered to be elected to a local district office in accordance with Subsection 20A-1-206(3)(c)(ii).
- (19) "Election" means a regular general election, a municipal general election, a statewide special election, a local special election, a nonpartisan open primary election, a regular primary election, a municipal primary election, and a local district election.
- (20) "Election Assistance Commission" means the commission established by the Help America Vote Act of 2002, Pub. L. No. 107-252.
- (21) "Election cycle" means the period beginning on the first day persons are eligible to file declarations of candidacy and ending when the canvass is completed.
- (22) "Election judge" means a poll worker that is assigned to:
- (a) preside over other poll workers at a polling place;
 - (b) act as the presiding election judge; or
 - (c) serve as a canvassing judge, counting judge, or receiving judge.
- (23) "Election officer" means:
- (a) the lieutenant governor, for all statewide ballots and elections;
 - (b) the county clerk for:
 - (i) a county ballot and election; and
 - (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5;
 - (c) the municipal clerk for:
 - (i) a municipal ballot and election; and
 - (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5;
 - (d) the local district clerk or chief executive officer for:
 - (i) a local district ballot and election; and
 - (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5; or
 - (e) the business administrator or superintendent of a school district for:
 - (i) a school district ballot and election; and
 - (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5.
- (24) "Election official" means any election officer, election judge, or poll worker.
- (25) "Election results" means:
- (a) for an election other than a bond election, the count of votes cast in the election and the election returns requested by the board of canvassers; or
 - (b) for bond elections, the count of those votes cast for and against the bond proposition plus any or all of the election returns that the board of canvassers may request.
- (26) "Election returns" includes the pollbook, the military and overseas absentee voter registration and voting certificates, one of the tally sheets, any unprocessed ballots, all counted ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot disposition form, and the total votes cast form.
- (27) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.
- (28) "Inactive voter" means a registered voter who is listed as inactive by a county clerk under Subsection 20A-2-306(4)(c)(i) or (ii).

- (29) "Judicial office" means the office filled by any judicial officer.
- (30) "Judicial officer" means any justice or judge of a court of record or any county court judge.
- (31) "Local district" means a local government entity under Title 17B, Limited Purpose Local Government Entities - Local Districts, and includes a special service district under Title 17D, Chapter 1, Special Service District Act.
- (32) "Local district officers" means those local district board members that are required by law to be elected.
- (33) "Local election" means a regular county election, a regular municipal election, a municipal primary election, a local special election, a local district election, and a bond election.
- (34) "Local political subdivision" means a county, a municipality, a local district, or a local school district.
- (35) "Local special election" means a special election called by the governing body of a local political subdivision in which all registered voters of the local political subdivision may vote.
- (36) "Manual ballot" means a paper document produced by an election officer on which an individual records an individual's vote by directly placing a mark on the paper document using a pen or other marking instrument.
- (37) "Mechanical ballot" means a record, including a paper record, electronic record, or mechanical record, that:
- (a) is created via electronic or mechanical means; and
 - (b) records an individual voter's vote cast via a method other than an individual directly placing a mark, using a pen or other marking instrument, to record an individual voter's vote.
- (38) "Municipal executive" means:
- (a) the mayor in the council-mayor form of government defined in Section 10-3b-102;
 - (b) the mayor in the council-manager form of government defined in Subsection 10-3b-103(7); or
 - (c) the chair of a metro township form of government defined in Section 10-3b-102.
- (39) "Municipal general election" means the election held in municipalities and, as applicable, local districts on the first Tuesday after the first Monday in November of each odd-numbered year for the purposes established in Section 20A-1-202.
- (40) "Municipal legislative body" means:
- (a) the council of the city or town in any form of municipal government; or
 - (b) the council of a metro township.
- (41) "Municipal office" means an elective office in a municipality.
- (42) "Municipal officers" means those municipal officers that are required by law to be elected.
- (43) "Municipal primary election" means an election held to nominate candidates for municipal office.
- (44) "Municipality" means a city, town, or metro township.
- (45) "Official ballot" means the ballots distributed by the election officer for voters to record their votes.
- (46) "Official endorsement" means the information on the ballot that identifies:
- (a) the ballot as an official ballot;
 - (b) the date of the election; and
 - (c)
 - (i) for a ballot prepared by an election officer other than a county clerk, the facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or
 - (ii) for a ballot prepared by a county clerk, the words required by Subsection 20A-6-

- 301(1)(b)(iii).
- (47) "Official register" means the official record furnished to election officials by the election officer that contains the information required by Section 20A-5-401.
- (48) "Political party" means an organization of registered voters that has qualified to participate in an election by meeting the requirements of Chapter 8, Political Party Formation and Procedures.
- (49)
- (a) "Poll worker" means a person assigned by an election official to assist with an election, voting, or counting votes.
- (b) "Poll worker" includes election judges.
- (c) "Poll worker" does not include a watcher.
- (50) "Pollbook" means a record of the names of voters in the order that they appear to cast votes.
- (51) "Polling place" means a building where voting is conducted.
- (52) "Position" means a square, circle, rectangle, or other geometric shape on a ballot in which the voter marks the voter's choice.
- (53) "Presidential Primary Election" means the election established in Chapter 9, Part 8, Presidential Primary Election.
- (54) "Primary convention" means the political party conventions held during the year of the regular general election.
- (55) "Protective counter" means a separate counter, which cannot be reset, that:
- (a) is built into a voting machine; and
- (b) records the total number of movements of the operating lever.
- (56) "Provider election officer" means an election officer who enters into a contract or interlocal agreement with a contracting election officer to conduct an election for the contracting election officer's local political subdivision in accordance with Section 20A-5-400.1.
- (57) "Provisional ballot" means a ballot voted provisionally by a person:
- (a) whose name is not listed on the official register at the polling place;
- (b) whose legal right to vote is challenged as provided in this title; or
- (c) whose identity was not sufficiently established by a poll worker.
- (58) "Provisional ballot envelope" means an envelope printed in the form required by Section 20A-6-105 that is used to identify provisional ballots and to provide information to verify a person's legal right to vote.
- (59)
- (a) "Public figure" means an individual who, due to the individual being considered for, holding, or having held a position of prominence in a public or private capacity, or due to the individual's celebrity status, has an increased risk to the individual's safety.
- (b) "Public figure" does not include an individual:
- (i) elected to public office; or
- (ii) appointed to fill a vacancy in an elected public office.
- (60) "Qualify" or "qualified" means to take the oath of office and begin performing the duties of the position for which the individual was elected.
- (61) "Receiving judge" means the poll worker that checks the voter's name in the official register at a polling location and provides the voter with a ballot.
- (62) "Registration form" means a form by which an individual may register to vote under this title.
- (63) "Regular ballot" means a ballot that is not a provisional ballot.

- (64) "Regular general election" means the election held throughout the state on the first Tuesday after the first Monday in November of each even-numbered year for the purposes established in Section 20A-1-201.
- (65) "Regular primary election" or "nonpartisan open primary election" means the election, held on the date specified in Section 20A-1-201.5, to nominate candidates ~~of political parties and~~ candidates for nonpartisan local school board positions to advance to the regular general election.
- (66) "Resident" means a person who resides within a specific voting precinct in Utah.
- (67) "Return envelope" means the envelope, described in Subsection 20A-3a-202(4), provided to a voter with a manual ballot:
- (a) into which the voter places the manual ballot after the voter has voted the manual ballot in order to preserve the secrecy of the voter's vote; and
 - (b) that includes the voter affidavit and a place for the voter's signature.
- (68) "Sample ballot" means a mock ballot similar in form to the official ballot printed and distributed as provided in Section 20A-5-405.
- (69) "Special election" means an election held as authorized by Section 20A-1-203.
- (70) "Spoiled ballot" means each ballot that:
- (a) is spoiled by the voter;
 - (b) is unable to be voted because it was spoiled by the printer or a poll worker; or
 - (c) lacks the official endorsement.
- (71) "Statewide special election" means a special election called by the governor or the Legislature in which all registered voters in Utah may vote.
- (72) "Tabulation system" means a device or system designed for the sole purpose of tabulating votes cast by voters at an election.
- (73) "Ticket" means a list of:
- (a) political parties;
 - (b) candidates for an office; or
 - (c) ballot propositions.
- (74) "Transfer case" means the sealed box used to transport voted ballots to the counting center.
- (75) "Vacancy" means the absence of a person to serve in any position created by statute, whether that absence occurs because of death, disability, disqualification, resignation, or other cause.
- (76) "Valid voter identification" means:
- (a) a form of identification that bears the name and photograph of the voter which may include:
 - (i) a currently valid Utah driver license;
 - (ii) a currently valid identification card that is issued by:
 - (A) the state; or
 - (B) a branch, department, or agency of the United States;
 - (iii) a currently valid Utah permit to carry a concealed weapon;
 - (iv) a currently valid United States passport; or
 - (v) a currently valid United States military identification card;
 - (b) one of the following identification cards, whether or not the card includes a photograph of the voter:
 - (i) a valid tribal identification card;
 - (ii) a Bureau of Indian Affairs card; or
 - (iii) a tribal treaty card; or

(c) two forms of identification not listed under Subsection (76)(a) or (b) but that bear the name of the voter and provide evidence that the voter resides in the voting precinct, which may include:

- (i) a current utility bill or a legible copy thereof, dated within the 90 days before the election;
- (ii) a bank or other financial account statement, or a legible copy thereof;
- (iii) a certified birth certificate;
- (iv) a valid social security card;
- (v) a check issued by the state or the federal government or a legible copy thereof;
- (vi) a paycheck from the voter's employer, or a legible copy thereof;
- (vii) a currently valid Utah hunting or fishing license;
- (viii) certified naturalization documentation;
- (ix) a currently valid license issued by an authorized agency of the United States;
- (x) a certified copy of court records showing the voter's adoption or name change;
- (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
- (xii) a currently valid identification card issued by:
 - (A) a local government within the state;
 - (B) an employer for an employee; or
 - (C) a college, university, technical school, or professional school located within the state;or
- (xiii) a current Utah vehicle registration.

(77) "Valid write-in candidate" means a candidate who has qualified as a write-in candidate by following the procedures and requirements of this title.

(78) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:

- (a) mailing the ballot to the location designated in the mailing; or
- (b) depositing the ballot in a ballot drop box designated by the election officer.

(79) "Voter" means an individual who:

- (a) meets the requirements for voting in an election;
- (b) meets the requirements of election registration;
- (c) is registered to vote; and
- (d) is listed in the official register book.

(80) "Voter registration deadline" means the registration deadline provided in Section 20A-2-102.5.

(81) "Voting area" means the area within six feet of the voting booths, voting machines, and ballot box.

(82) "Voting booth" means:

- (a) the space or compartment within a polling place that is provided for the preparation of ballots, including the voting enclosure or curtain; or
- (b) a voting device that is free standing.

(83) "Voting device" means any device provided by an election officer for a voter to vote a mechanical ballot.

(84) "Voting precinct" means the smallest geographical voting unit, established under Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.

(85) "Watcher" means an individual who complies with the requirements described in Section 20A-3a-801 to become a watcher for an election.

(86) "Write-in ballot" means a ballot containing any write-in votes.

(87) “Write-in vote” means a vote cast for an individual, whose name is not printed on the ballot, in accordance with the procedures established in this title.

SECTION 3. **SECTION 20A-1-303** IS AMENDED TO READ

20A-1-103 Severability clause.

If any provision of the Utahns for Fair Elections Act of 2022~~Laws of Utah 2014, Chapter 17~~, or the application of any provision of that Act~~Laws of Utah 2014, Chapter 17~~, to any person or circumstance is held invalid by a final decision of a court of competent jurisdiction, the remainder of that Act~~Laws of Utah 2014, Chapter 17~~, shall be given effect without the invalid provision or application. The provisions of Utah’s Better Election Initiative of 2022 ~~Laws of Utah 2014, Chapter 17~~, are severable.

SECTION 4. **SECTION 20A-1-201.5** IS AMENDED TO READ

20A-1-201.5 Primary election dates.

(1) The ~~regular~~ nonpartisan open primary election shall be held throughout the state on the fourth Tuesday of June of each even numbered year as provided in Section 20A-9-403,~~20A-9-407~~, or 20A-9-408, as applicable, to nominate persons for:

(a) national, state, school board, and county offices; and

(b) offices for a metro township, city, or town incorporated under Section 10-2a-404.

(2) A municipal primary election shall be held, if necessary, on the second Tuesday following the first Monday in August before the regular municipal election to nominate persons for municipal offices.

(3) A presidential primary election shall be held throughout the state on the first Tuesday in March in the year in which a presidential election will be held.

SECTION 5. **SECTION 20A-1-303** IS AMENDED TO READ

20A-1-303 Determining results.

(1)

(a) Except as provided in Title 20A, Chapter 1, Part 3, Section 309, Ranked-Choice Voting and Instant Runoff Voting for General Elections, Title 20A, Chapter 9, Part 4, Section 403, Nonpartisan Open Primary Elections, and Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, when one person is to be elected or nominated, the person receiving the highest number of votes at any:

(i) election for any office to be filled at that election is elected to that office; and

(ii) primary for nomination for any office is nominated for that office.

(b) Except as provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, when more than one person is to be elected or nominated, the persons receiving

- the highest number of votes at any:
- (i) election for any office to filled at that election are elected to that office; and
 - (ii) primary for nomination for any office are nominated for that office.
- (2) Any ballot proposition submitted to voters for their approval or rejection:
- (a) passes if the number of “yes” votes is greater than the number of “no” votes; and
 - (b) fails if:
 - (i) the number of “yes” votes equal the number of “no” votes; or
 - (ii) the number of “no” votes is greater than the number of “yes” votes.

SECTION 6. **SECTION 20A–3a–202** IS AMENDED TO READ

20A-3a-202 Conducting election by mail.

- (1) Except as otherwise provided for an election conducted entirely by mail under Section 20A-7-609.5, an election officer shall administer an election primarily by mail, in accordance with this section.
- (2) An election officer who administers an election:
- (a) shall in accordance with Subsection (3), no sooner than 21 days before election day and no later than seven days before election day, mail to each active voter within a voting precinct:
 - (i) a manual ballot;
 - (ii) a return envelope;
 - (iii) instructions for returning the ballot that include an express notice about any relevant deadlines that the voter must meet in order for the voter’s vote to be counted;
 - (iv) for an election administered by a county clerk, information regarding the location and hours of operation of any election day voting center at which the voter may vote or a website address where the voter may view this information;
 - (v) for an election administered by an election officer other than a county clerk, if the election officer does not operate a polling location or an election day voting center, a warning, on a separate page of colored paper in bold face print, indicating that if the voter fails to follow the instructions included with the ballot, the voter will be unable to vote in that election because there will be no polling place for the voting precinct on the day of the election; and
 - (vi) after May 1, 2022, instructions on how a voter may sign up to receive electronic ballot status notifications via the ballot tracking system described in Section 20A-3a-401.5; and
 - (b) may not mail a ballot under this section to:
 - (i) an inactive voter, unless the inactive voter requests a manual ballot; or
 - (ii) a voter whom the election officer is prohibited from sending a ballot under Subsection (10)(c)(ii).
- (3)
- (a) An election officer who mails a manual ballot under Subsection (2) shall mail the manual ballot to the address:
 - (i) provided at the time of registration; or
 - (ii) if, at or after the time of registration, the voter files an alternate address request form described in Subsection (3)(b), the alternate address indicated on the form.
 - (b) The lieutenant governor shall make available to voters an alternate address request form

that permits a voter to request that the election officer mail the voter's ballot to a location other than the voter's residence.

(c) A voter shall provide the completed alternate address request form to the election officer no later than 11 days before the day of the election.

(4) The return envelope shall include:

(a) the name, official title, and post office address of the election officer on the front of the envelope;

(b) a space where a voter may write an email address and phone number by which the election officer may contact the voter if the voter's ballot is rejected;

(c) a printed affidavit in substantially the following form:

"County of ____ State of ____

I, ____, solemnly swear that: I am a qualified resident voter of the ____ voting precinct in ____ County, Utah and that I am entitled to vote in this election. I am not a convicted felon currently incarcerated for commission of a felony.

Signature of Voter"; and

(d) a warning that the affidavit must be signed by the individual to whom the ballot was sent and that the ballot will not be counted if the signature on the affidavit does not match the signature on file with the election officer of the individual to whom the ballot was sent.

(5) If the election officer determines that the voter is required to show valid voter identification, the election officer may:

(a) mail a ballot to the voter; and

(b) instruct the voter to include a copy of the voter's valid voter identification with the return ballot.

(6) An election officer who administers an election shall:

(a)

(i) before the election, obtain the signatures of each voter qualified to vote in the election; or

(ii) obtain the signature of each voter within the voting precinct from the county clerk; and

(b) maintain the signatures on file in the election officer's office.

(7) Upon receipt of a returned ballot, the election officer shall review and process the ballot under Section 20A-3a-401.

(8) A county that administers an election:

(a) shall provide at least one election day voting center in accordance with Chapter 3a, Part 7, Election Day Voting Center, and at least one additional election day voting center for every 5,000 active voters in the county who have requested to not receive a ballot by mail;

(b) shall ensure that each election day voting center operated by the county has at least one voting device that is accessible, in accordance with the Help America Vote Act of 2002, Pub. L. No. 107-252, for individuals with disabilities;

(c) may reduce the early voting period described in Section 20A-3a-601, if:

(i) the county clerk conducts early voting on at least four days;

(ii) the early voting days are within the period beginning on the date that is 14 days before the date of the election and ending on the day before the election; and

(iii) the county clerk provides notice of the reduced early voting period in accordance with Section 20A-3a-604;

(d) is not required to pay return postage for a ballot; and

(e) is subject to an audit conducted under Subsection (9).

(9)

(a) The lieutenant governor shall ensure that audits are performed for each primary, general, or special election conducted under this section;

(b) The lieutenant governor shall develop procedures for conducting audits of each nonpartisan open primary election, regular general election, or special election conducted under this section in varying jurisdictions, including procedures for risk-limiting audits, which shall include, without limitation:

(i) ~~develop~~ procedures for conducting an audit of affidavit signatures on ballots cast in an election conducted under this section; and

(ii) procedures for the manual review of randomly selected mailed-in ballots, with a comparison of those ballots with the voting machine's record of how that ballot was originally tallied; after each primary, general, or special election conducted under this section, select a number of ballots, in varying jurisdictions, to audit in accordance with the procedures developed under Subsection (9)(a)(i).

(iii) procedures for manual the review of other randomly selected paper ballots;

(iv) procedures for the auditing of at least once percent (1%) of the voting machines used statewide in a given election and at least one voting machine in each district of the Utah House of Representatives; and

(v) procedures for risk limiting audits.

(c) As used in this Section, "risk-limiting audits" means an audit protocol that makes use of statistical methods and is designed to limit to the risk of certifying an incorrect election outcome.

(d) The lieutenant governor shall post the results of an audit conducted under this Subsection (9) on the lieutenant governor's website.

(10)

(a) An individual may request that the election officer not send the individual a ballot by mail in the next and subsequent elections by submitting a written request to the election officer.

(b) An individual shall submit the request described in Subsection (10)(a) to the election officer before 5 p.m. no later than 60 days before an election if the individual does not wish to receive a ballot by mail in that election.

(c) An election officer who receives a request from an individual under Subsection (10)(a):

(i) shall remove the individual's name from the list of voters who will receive a ballot by mail; and

(ii) may not send the individual a ballot by mail for:

(A) the next election, if the individual submits the request described in Subsection (10)(a) before the deadline described in Subsection (10)(b); or

(B) an election after the election described in Subsection (10)(c)(ii)(A).

(d) An individual who submits a request under Subsection (10)(a) may resume the individual's receipt of a ballot by mail by submitting a written request to the election officer.

SECTION 7. SECTION 20A-3a-203 IS AMENDED TO READ

20A-3a-203 Voting at a polling place.

(1) Except as provided in Section 20A-7-609.5, a registered voter may vote at a polling place in

an election in accordance with this section.

(2)

(a) The voter shall give the voter's name, and, if requested, the voter's residence, to one of the poll workers.

(b) The voter shall present valid voter identification to one of the poll workers.

(c) If the poll worker is not satisfied that the voter has presented valid voter identification, the poll worker shall:

(i) indicate on the official register that the voter was not properly identified;

(ii) issue the voter a provisional ballot;

(iii) notify the voter that the voter will have until the close of normal office hours on Monday after the day of the election to present valid voter identification:

(A) to the county clerk at the county clerk's office; or

(B) to an election officer who is administering the election; and

(iv) follow the procedures and requirements of Section 20A-3a-205.

(d) If the person's right to vote is challenged as provided in Section 20A-3a-803, the poll worker shall follow the procedures and requirements of Section 20A-3a-205.

(3) A poll worker shall check the official register to determine whether:

(a) a voter is registered to vote; and

(b) if the election is a ~~regular primary election~~ or a presidential primary election, whether a voter's party affiliation designation in the official register allows the voter to vote the ballot that the voter requests.

(4)

(a) Except as provided in Subsection (5), if the voter's name is not found on the official register, the poll worker shall follow the procedures and requirements of Section 20A-3a-205.

(b) If, in a ~~regular primary election~~ or a presidential primary election, the official register does not affirmatively identify the voter as being affiliated with a registered political party or if the official register identifies the voter as being "unaffiliated," the voter shall be considered to be "unaffiliated."

(5) In a ~~regular primary election~~ or a presidential primary election:

(a) if a voter's name is not found on the official register, and if it is not unduly disruptive to the election process, the poll worker may attempt to contact the county clerk's office to request oral verification of the voter's registration;

(b) if oral verification is received from the county clerk's office, the poll worker shall:

(i) record the verification on the official register;

(ii) determine the voter's party affiliation and the ballot that the voter is qualified to vote; and

(iii) except as provided in Subsection (6), comply with Subsection (3).

(6)

(a) Except as provided in Subsection (6)(b), if, in a ~~regular primary election~~ or a presidential primary election, the voter's political party affiliation listed in the official register does not allow the voter to vote the ballot that the voter requested, the poll worker shall inform the voter of that fact and inform the voter of the ballot or ballots that the voter's party affiliation does allow the voter to vote.

(b) If, in a ~~regular primary election~~ or a presidential primary election, the voter is listed in the official register as unaffiliated, or if the official register does not affirmatively identify the voter as either unaffiliated or affiliated with a registered political party, and the voter, as an

unaffiliated voter, is not authorized to vote the ballot that the voter requests, the poll worker shall:

- (i) ask the voter if the voter wishes to vote another registered political party ballot that the voter, as unaffiliated, is authorized to vote, or remain unaffiliated; and
 - (ii)
 - (A) if the voter wishes to vote another registered political party ballot that the unaffiliated voter is authorized to vote, the poll worker shall proceed as required by Subsection (3); or
 - (B) if the voter wishes to remain unaffiliated and does not wish to vote another ballot that unaffiliated voters are authorized to vote, the poll worker shall instruct the voter that the voter may not vote.
- (7) Except as provided in Subsection (6)(b)(ii)(B), and subject to the other provisions of Subsection (6), if the poll worker determines that the voter is registered, a poll worker shall:
- (a) direct the voter to sign the voter's name in the official register;
 - (b) provide to the voter the ballot that the voter is qualified to vote; and
 - (c) allow the voter to enter the voting booth.

SECTION 8. **SECTION 20A-3a-803 IS AMENDED TO READ**

20A-3a-803 Challenges to a voter's eligibility -- Basis for challenge -- Procedures.

- (1) An individual may challenge another individual's eligibility to vote on any of the following grounds:
- (a) the individual is not the individual in whose name the individual tries to vote;
 - (b) the individual is not a resident of Utah;
 - (c) the individual is not a citizen of the United States;
 - (d) the individual has not or will not have resided in Utah for 30 days immediately before the date of the election;
 - (e) the individual's principal place of residence is not in the voting precinct that the individual claims;
 - (f) the individual's principal place of residence is not in the geographic boundaries of the election area;
 - (g) the individual has already voted in the election;
 - (h) the individual is not at least the minimum age required to vote in the election;
 - (i) the individual has been convicted of a misdemeanor for an offense under this title and the individual's right to vote in an election has not been restored under Section 20A-2-101.3;
 - (j) the individual is a convicted felon and the voter's right to vote in an election has not been restored under Section 20A-2-101.5; or
 - (k) in a ~~regular primary election~~ or presidential primary election, the individual does not meet the political party affiliation requirements for the ballot the individual seeks to vote.
- (2) An individual who challenges another individual's right to vote in an election shall make the challenge in accordance with:
- (a) Section 20A-3a-804, for a challenge that is not made in person at the time an individual votes; or
 - (b) Section 20A-3a-805, for challenges made in person at the time an individual votes.

SECTION 9. **SECTION 20A-5-102** IS AMENDED TO READ

20A-5-102 Voting instructions.

- (1) Each election officer shall:
 - (a) print instructions for voters;
 - (b) ensure that the instructions are printed in English, and any other language required under the Voting Rights Act of 1965, as amended, in large clear type; and
 - (c) ensure that the instructions inform voters:
 - (i) about how to obtain ballots for voting;
 - (ii) about special political party affiliation requirements for voting in a ~~regular primary election~~ or presidential primary election;
 - (iii) about how to prepare ballots for deposit in the ballot box;
 - (iv) about how to record write-in votes;
 - (v) about how to obtain a new ballot in the place of one spoiled by accident or mistake;
 - (vi) about how to obtain assistance in marking ballots;
 - (vii) about obtaining a new ballot if the voter's ballot is defaced;
 - (viii) that identification marks or the spoiling or defacing of a ballot will make it invalid;
 - (ix) about how to obtain and vote a provisional ballot;
 - (x) about whom to contact to report election fraud;
 - (xi) about applicable federal and state laws regarding:
 - (A) voting rights and the appropriate official to contact if the voter alleges his rights have been violated; and
 - (B) prohibitions on acts of fraud and misrepresentation;
 - (xii) about procedures governing mail-in registrants and first-time voters; and
 - (xiii) about the date of the election and the hours that the polls are open on election day.
- (2) Each election officer shall:
 - (a) provide the election judges of each voting precinct with sufficient instruction cards to instruct voters in the preparation of their ballots;
 - (b) direct the election judges to post:
 - (i) general voting instructions in each voting booth; and
 - (ii) at least three instruction cards and at least one sample ballot elsewhere in and about the polling place.

SECTION 10. **SECTION 20A-6-203** IS AMENDED TO READ

20A-6-203 Ballots for ~~regular~~ nonpartisan open primary elections.

- (1) The lieutenant governor, together with county clerks, suppliers of election materials, and representatives of registered political parties, shall:
 - (a) develop ballots to be used in Utah's ~~regular~~ nonpartisan open primary election;
 - (b) ensure that the ballots comply generally, where applicable, with the requirements of Title 20A, Chapter 6, Part 1, General Requirements for All Ballots, and this section;
 - (c) ensure that ballots contain prominent language that expressly states that any candidate's self-designated registered political party preference is *not* an official endorsement by that

political party and does not establish membership in, or affiliation with, that registered political party; and

(d) provide voting booths, election records and supplies, ballot boxes, and as applicable, voting devices, for each voting precinct as required by Section 20A-5-403.

(2)

(a) Notwithstanding the requirements of Subsections (1)(b) and (c), Title 20A, Chapter 6, Part 1, General Requirements for All Ballots, and Sections 20A-5-403, 20A-6-401, and 20A-6-401.1, the lieutenant governor, together with county clerks, suppliers of election materials, and representatives of registered political parties shall ensure that the ballots, voting booths, election records and supplies, and ballot boxes:

(i) facilitate the distribution, voting, and tallying of ballots ~~in a primary where not all voters are authorized to vote for a party's candidate;~~

(ii) simplify the task of poll workers; ~~particularly in determining a voter's party affiliation;~~

(iii) minimize the possibility of spoiled ballots due to voter confusion; and

(iv) protect against fraud.

~~(b) To accomplish the requirements of this Subsection (2), the lieutenant governor, county clerks, suppliers of election materials, and representatives of registered political parties shall:~~

~~(i) mark ballots as being for a particular registered political party; and~~

~~(ii) instruct individuals counting the ballots to count only those votes for candidates from the registered political party whose ballot the voter received.~~

SECTION 11. ~~SECTION 20A-6-203.5~~ IS AMENDED TO READ

20A-6-203.5 Instant runoff voting ballot.

If, in an election, at least one of the races is conducted by instant runoff voting under this Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, the portion of the ballot relating to that race shall:

(1) list each candidate who qualifies to be placed on the election ballot for that race;

(2) opposite each candidate's name, include a place where a voter can indicate the voter's vote in order of preference for each candidate, as described in Title 20A, Chapter 14, Part 36, Ranked-Choice and Instant Runoff Voting for General Elections ~~Municipal Alternate Voting Methods Pilot Project~~; and

(3) provide the ability for a voter to enter a write-in candidate's name and indicate the voter's ordered preference for the write-in candidate.

SECTION 12. ~~SECTION 20A-6-301~~ IS AMENDED TO READ

20A-6-301 Manual ballots – Regular general election

(1) Each election officer shall ensure that:

(a) all manual ballots furnished for use at the regular general election contain:

(i) no captions or other endorsements except as provided in this section;

(ii) no symbols, markings, or other descriptions of a political party or group, except for a

- ~~candidate's self designated registered political party preference registered political party that has chosen to nominate its candidates~~ in accordance with Section 20A-9-408~~3~~; and
- (iii) ~~no indication that a candidate for elective office has been nominated by, or has been endorsed by, or is in any way affiliated with a political party or group, unless the candidate has been nominated by a registered political party in accordance with Subsection 20A-9-202(4) or Subsection 20A-9-403(5); a registered political party; and~~
- (iv) a prominent disclaimer explaining that any candidate's self-designated registered political party preference is *not* an official endorsement by that political party and does *not* establish membership in, or affiliation with, that registered political party;
- or Subsection 20A-9-403(5);
- (b) at the top of the ballot, the following endorsements are printed in 18 point bold type:
- (i) "Official Ballot for ____ County, Utah";
- (ii) the date of the election; and
- (iii) the words "certified by the Clerk of _____ County" or, as applicable, the name of a combined office that includes the duties of a county clerk;
- (c) ~~candidates who have not self designated unaffiliated candidates, candidates not affiliated with a registered political party preference, and all other candidates for elective office who were not nominated by a registered political party in accordance with Subsection 20A-9-202(4) or Subsection 20A-9-403(5),~~ are listed with the other candidates for the same office in accordance with Section 20A-6-305, without a party name or title;
- (d) each ticket containing the lists of candidates, including the party name and device, are separated by heavy parallel lines;
- (e) the offices to be filled are plainly printed immediately above the names of the candidates for those offices;
- (f) the names of candidates are printed in capital letters, not less than one-eighth nor more than one-fourth of an inch high in heavy-faced type not smaller than 10 point, between lines or rules three-eighths of an inch apart; and
- (g) on a ticket for a race in which a voter is authorized to cast a write-in vote and in which a write-in candidate is qualified under Section 20A-9-601:
- (i) the ballot includes a space for a write-in candidate immediately following the last candidate listed on that ticket; or
- (ii) for the offices of president and vice president and governor and lieutenant governor, the ballot includes two spaces for write-in candidates immediately following the last candidates on that ticket, one placed above the other, to enable the entry of two valid write-in candidates.
- (2) An election officer shall ensure that:
- (a) each individual who has permissibly self designated a ~~nominated by any~~ registered political party preference under Subsection 20A-9-202(4) or Subsection 20A-9-403(5), ~~and no other individual,~~ is placed on the ballot:
- (i) under the registered political party's name, if any, along with a prominent disclaimer explaining that any candidate's self-designated registered political party preference is *not* an official endorsement by that political party and does *not* establish membership in, or affiliation with, that registered political party; ~~or~~
- (ii) ~~under the title of the registered political party as designated by them in their certificates of nomination or petition, or, if none is designated, then under some suitable title;~~
- (b) the names of all ~~unaffiliated~~ candidates who have not self designated a registered political

- party preference but that qualify as required in Chapter 9, Part 5, Candidates not Affiliated with a Party, are placed on the ballot;
- (c) the names of the candidates for president and vice president are used on the ballot instead of the names of the presidential electors; and
- (d) the ballots contain no other names.
- (3) When the ballot contains a ~~nonpartisan~~ section of offices for which more than one candidate is to be elected for a particular office, the election officer shall ensure that:
- (a) the designation of the office to be filled in the election and the number of candidates to be elected are printed in type not smaller than eight point;
- (b) the words designating the office are printed flush with the left-hand margin;
- (c) the words, "Vote for one" or "Vote for up to ____ (the number of candidates for which the voter may vote)" extend to the extreme right of the column;
- (d) the ~~nonpartisan~~ candidates are grouped according to the office for which they are candidates;
- (e) the names in each group are placed in the order specified under Section 20A-6-305 with the surnames last; and
- (f) each group is preceded by the designation of the office for which the candidates seek election, and the words, "Vote for one" or "Vote for up to ____ (the number of candidates for which the voter may vote)," according to the number to be elected.
- (4) Each election officer shall ensure that:
- (a) proposed amendments to the Utah Constitution are listed on the ballot in accordance with Section 20A-6-107;
- (b) ballot propositions submitted to the voters are listed on the ballot in accordance with Section 20A-6-107;
- (c) bond propositions that have qualified for the ballot are listed on the ballot under the title assigned to each bond proposition under Section 11-14-206; and
- (d) the judicial retention section of the ballot includes a statement at the beginning directing voters to the Judicial Performance Evaluation Commission's website in accordance with Subsection 20A-12-201(4).

SECTION 13. ~~SECTION 20A-9-101~~ IS AMENDED TO READ

20A-9-101 Definitions.

As used in this chapter:

- (1)
- (a) "Candidates for elective office" means persons who file a declaration of candidacy under Section 20A-9-202 to run in a regular general election for a federal office, constitutional office, multicounty office, or county office.
- (b) "Candidates for elective office" does not mean candidates for:
- (i) justice or judge of court of record or not of record;
- (ii) presidential elector;
- (iii) any political party offices; and
- (iv) municipal or local district offices.
- (2) "Constitutional office" means the state offices of governor, lieutenant governor, attorney

general, state auditor, and state treasurer.

(3) "Continuing political party" means the same as that term is defined in Section 20A-8-101.

(4)

(a) "County office" means an elective office where the officeholder is selected by voters entirely within one county.

(b) "County office" does not mean:

(i) the office of justice or judge of any court of record or not of record;

(ii) the office of presidential elector;

(iii) any political party offices;

(iv) any municipal or local district offices; and

(v) the office of United States Senator and United States Representative.

(5) "Federal office" means an elective office for United States Senator and United States Representative.

(6) "Filing officer" means:

(a) the lieutenant governor, for:

(i) the office of United States Senator and United States Representative; and

(ii) all constitutional offices;

(b) for the office of a state senator or state representative, the lieutenant governor or the applicable clerk described in Subsection (6)(c) or (d);

(c) the county clerk, for county offices and local school district offices;

(d) the county clerk in the filer's county of residence, for multicounty offices;

(e) the city or town clerk, for municipal offices; or

(f) the local district clerk, for local district offices.

(7) "Local district office" means an elected office in a local district.

(8) "Local government office" includes county offices, municipal offices, and local district offices and other elective offices selected by the voters from a political division entirely within one county.

(9)

(a) "Multicounty office" means an elective office where the officeholder is selected by the voters from more than one county.

(b) "Multicounty office" does not mean:

(i) a county office;

(ii) a federal office;

(iii) the office of justice or judge of any court of record or not of record;

(iv) the office of presidential elector;

(v) any political party offices; or

(vi) any municipal or local district offices.

(10) "Municipal office" means an elective office in a municipality.

(11)

(a) "Political division" means a geographic unit from which an officeholder is elected and that an officeholder represents.

(b) "Political division" includes a county, a city, a town, a local district, a school district, a legislative district, and a county prosecution district.

~~(12) "Qualified political party" means a registered political party that:~~

~~(a)~~

~~(i) permits a delegate for the registered political party to vote on a candidate nomination in-~~

- ~~the registered political party's convention remotely; or~~
- ~~(ii) provides a procedure for designating an alternate delegate if a delegate is not present at the registered political party's convention; and~~
- ~~(b) does not hold the registered political party's convention before the fourth Saturday in March of an even-numbered year;~~
- ~~(c) permits a member of the registered political party to seek the registered political party's nomination for any elective office by the member choosing to seek the nomination by either or both of the following methods:~~
 - ~~(i) seeking the nomination through the registered political party's convention process, in accordance with the provisions of Section 20A-9-407; or~~
 - ~~(ii) seeking the nomination by collecting signatures, in accordance with the provisions of Section 20A-9-408; and~~
- ~~(d)~~
 - ~~(i) if the registered political party is a continuing political party, no later than 5 p.m. on September 30 of an odd-numbered year, certifies to the lieutenant governor that, for the election in the following year, the registered political party intends to nominate the registered political party's candidates in accordance with the provisions of Section 20A-9-406; or~~
 - ~~(ii) if the registered political party is not a continuing political party, certifies at the time that the registered political party files the petition described in Section 20A-8-103 that, for the next election, the registered political party intends to nominate the registered political party's candidates in accordance with the provisions of Section 20A-9-406.~~

SECTION 14. **SECTION 20A-9-202 IS AMENDED TO READ**

20A-9-202 Declarations of candidacy for regular general elections.

- (1)
 - (a) An individual seeking to become a candidate for an elective office that is to be filled at the next regular general election shall:
 - (i) except as provided in Subsection (1)(c), file a declaration of candidacy in person with the filing officer on or after January 1 of the regular general election year, and, if applicable, before the individual circulates nomination petitions under Section 20A-9-405; and
 - (ii) pay the filing fee.
 - ~~(b) Unless expressly provided otherwise in this title, for a registered political party that is not a qualified political party, the deadline for filing a declaration of candidacy for an elective office that is to be filled at the next regular general election is 5 p.m. on the first Monday after the third Saturday in April.~~
 - ~~(e)~~ Subject to Subsection 20A-9-201(7)(b), an individual may designate an agent to file a declaration of candidacy with the filing officer if:
 - (i) the individual is located outside of the state during the entire filing period;
 - (ii) the designated agent appears in person before the filing officer;
 - (iii) the individual communicates with the filing officer using an electronic device that allows the individual and filing officer to see and hear each other; and
 - (iv) the individual provides the filing officer with an email address to which the filing

- officer may send the individual the copies described in Subsection 20A-9-201(5).
- (d) Each county clerk who receives a declaration of candidacy from a candidate for multicounty office shall transmit the filing fee and a copy of the candidate's declaration of candidacy to the lieutenant governor within one business day after the candidate files the declaration of candidacy.
- (e) Each day during the filing period, each county clerk shall notify the lieutenant governor electronically or by telephone of candidates who have filed a declaration of candidacy with the county clerk.
- (f) Each individual seeking the office of lieutenant governor, the office of district attorney, or the office of president or vice president of the United States shall comply with the specific declaration of candidacy requirements established by this section.
- (2)
- (a) Each individual intending to become a candidate for the office of district attorney within a multicounty prosecution district that is to be filled at the next regular general election shall:
- (i) file a declaration of candidacy with the clerk designated in the interlocal agreement creating the prosecution district on or after January 1 of the regular general election year, and before the individual circulates nomination petitions under Section 20A-9-405; and
 - (ii) pay the filing fee.
- (b) The designated clerk shall provide to the county clerk of each county in the prosecution district a certified copy of each declaration of candidacy filed for the office of district attorney.
- (3)
- (a) Before the deadline described in Subsection (1)(b), each lieutenant governor candidate shall:
- (i) file a declaration of candidacy with the lieutenant governor;
 - (ii) pay the filing fee; and
 - (iii) submit a letter from a candidate for governor who has received certification for the primary-election ballot under Section 20A-9-403 that names the lieutenant governor candidate as a joint-ticket running mate.
- (b)
- (i) A candidate for lieutenant governor who fails to timely file is disqualified.
 - (ii) If a candidate for lieutenant governor is disqualified, another candidate may file to replace the disqualified candidate.
- (4) Before 5 p.m. no later than August 31, each registered political party shall:
- (a) certify the names of the political party's candidates for president and vice president of the United States to the lieutenant governor; or
 - (b) provide written authorization for the lieutenant governor to accept the certification of candidates for president and vice president of the United States from the national office of the registered political party.
- (5)
- (a) A declaration of candidacy filed under this section is valid unless a written objection is filed with the clerk or lieutenant governor before 5 p.m. on the last business day that is at least 10 days before the deadline described in Subsection 20A-9-409(4)(c).
- (b) If an objection is made, the clerk or lieutenant governor shall:
- (i) mail or personally deliver notice of the objection to the affected candidate immediately; and
 - (ii) decide any objection within 48 hours after it is filed.

- (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the problem by amending the declaration or petition before 5 p.m. within three days after the day on which the objection is sustained or by filing a new declaration before 5 p.m. within three days after the day on which the objection is sustained.
- (d)
- (i) The clerk's or lieutenant governor's decision upon objections to form is final.
 - (ii) The clerk's or lieutenant governor's decision upon substantive matters is reviewable by a district court if prompt application is made to the court.
 - (iii) The decision of the district court is final unless the Supreme Court, in the exercise of its discretion, agrees to review the lower court decision.
- (6) Any person who filed a declaration of candidacy may withdraw as a candidate by filing a written affidavit with the clerk.
- (7)
- (a) Except for a candidate who is certified by a registered political party under Subsection (4), and except as provided in Section 20A-9-504, before 5 p.m. no later than August 31 of a general election year, each individual running as a candidate for vice president of the United States shall:
 - (i) file a declaration of candidacy, in person or via a designated agent, on a form developed by the lieutenant governor, that:
 - (A) contains the individual's name, address, and telephone number;
 - (B) states that the individual meets the qualifications for the office of vice president of the United States;
 - (C) names the presidential candidate, who has qualified for the general election ballot, with which the individual is running as a joint-ticket running mate;
 - (D) states that the individual agrees to be the running mate of the presidential candidate described in Subsection (7)(a)(i)(C); and
 - (E) contains any other necessary information identified by the lieutenant governor;
 - (ii) pay the filing fee; and
 - (iii) submit a letter from the presidential candidate described in Subsection (7)(a)(i)(C) that names the individual as a joint-ticket running mate as a vice presidential candidate.
 - (b) A designated agent described in Subsection (7)(a)(i) may not sign the declaration of candidacy.
 - (c) A vice presidential candidate who fails to meet the requirements described in this Subsection (7) may not appear on the general election ballot.
- (8) An individual filing a declaration of candidacy for president or vice president of the United States shall pay a filing fee of \$500.

SECTION 15. **SECTION 20A-9-403 IS AMENDED TO READ**

20A-9-403 Regular Nonpartisan open primary elections.

- (1)
- (a) Candidates for elective office that are to be filled at the next regular general election shall be nominated in a nonpartisan open regular primary election by direct vote of the people in the manner prescribed in this section. The nonpartisan open regular primary election is also referred to under this Title as the regular primary election and is held on the date specified in

Section 20A-1-201.5. Nothing in this section shall affect a candidate's ability to ~~qualify for a regular general election's ballot as an unaffiliated candidate under Section 20A-9-501 or to participate in a regular general election as a write-in candidate under Section 20A-9-601.~~

~~(b) Each registered political party that chooses to have the names of the registered political party's candidates for elective office featured with party affiliation on the ballot at a regular general election shall comply with the requirements of this section and shall nominate the registered political party's candidates for elective office in the manner described in this section.~~

~~(c) A filing officer may not permit an official ballot at a regular general election to be produced or used if the ballot denotes affiliation between a registered political party or any other political group and a candidate for elective office who is not nominated in the manner prescribed in this section or in Subsection 20A-9-202(4).~~

~~(d b)~~ Unless noted otherwise, the dates in this section refer to those that occur in each even-numbered year in which a regular general election will be held.

~~(2)~~

~~(a) Each registered political party, in a statement filed with the lieutenant governor, shall:~~

~~(i) either declare the registered political party's intent to participate in the next regular primary election or declare that the registered political party chooses not to have the names of the registered political party's candidates for elective office featured on the ballot at the next regular general election; and~~

~~(ii) if the registered political party participates in the upcoming regular primary election, identify one or more registered political parties whose members may vote for the registered political party's candidates and whether individuals identified as unaffiliated with a political party may vote for the registered political party's candidates.~~

~~(b)~~

~~(a)~~

~~(i) A registered political party that is a continuing political party shall file the statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on November 30 of each odd-numbered year.~~

~~(ii)~~

~~(b)~~

~~An organization that is seeking to become a registered political party under Section 20A-8-103 shall file the statement described in Subsection (2)(a) at the time that the registered political party files the petition described in Section 20A-8-103.~~

~~(23)~~

~~(a) Except as provided in Subsection (3)(e), an individual who submits a declaration of candidacy under Section 20A-9-202 shall appear as a candidate for elective office on the nonpartisan open regular primary ballot with their self-designated of the registered political party preference listed on the declaration of candidacy only if the individual is certified by the appropriate filing officer as having submitted a set of nomination petitions that was:~~

~~(i) circulated and completed in accordance with Section 20A-9-405; and~~

~~(ii) in compliance with the signature requirements in Section 20A-9-408 signed by at least 2% of the registered political party's members who reside in the political division of the office that the individual seeks.~~

~~(b)~~

~~(i) A candidate for elective office shall submit nomination petitions to the appropriate filing~~

officer for verification and certification no later than 5 p.m. on the final day in March.

(ii) A candidate may supplement the candidate's submissions at any time on or before the filing deadline.

(c)

(i) The lieutenant governor shall determine for each elective office the total number of signatures that must be submitted under Subsection (3)(a)(ii) or 20A-9-408(8) by counting the aggregate number of individuals residing in each elective office's political division who have designated a particular registered political party on the individuals' voter registration forms on or before November 15 of each odd-numbered year.

(ii) The lieutenant governor shall publish the determination for each elective office no later than November 30 of each odd-numbered year.

(d) The filing officer shall:

(i) verify signatures on nomination petitions in a transparent and orderly manner, no later than 14 days after the day on which a candidate submits the signatures to the filing officer;

(ii) for all qualifying candidates for elective office who submit nomination petitions to the filing officer, issue certifications referenced in Subsection (3)(a) no later than the deadline described in Subsection 20A-9-202(1)(b);

(iii) consider active and inactive voters eligible to sign nomination petitions;

~~(iv) consider an individual who signs a nomination petition a member of a registered political party for purposes of Subsection (3)(a)(ii) if the individual has designated that registered political party as the individual's party membership on the individual's voter registration form; and~~

(iv) utilize procedures described in Section 20A-7-206.3 to verify submitted nomination petition signatures, or use statistical sampling procedures to verify submitted nomination petition signatures in accordance with rules made under Subsection (3)(f).

(e) Notwithstanding any other provision in this Subsection (3), a candidate for lieutenant governor may appear on the nonpartisan open regular primary ballot ~~of a registered political party~~ without submitting nomination petitions if the candidate files a declaration of candidacy and complies with Subsection 20A-9-202(3).

(f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the director of elections, within the Office of the Lieutenant Governor, may make rules that:

(i) provide for the use of statistical sampling procedures that:

(A) filing officers are required to use to verify signatures under Subsection (3)(d); and

(B) reflect a bona fide effort to determine the validity of a candidate's entire submission, using widely recognized statistical sampling techniques; and

(ii) provide for the transparent, orderly, and timely submission, verification, and certification of nomination petition signatures.

(g) The county clerk shall:

(i) review the declarations of candidacy filed by candidates for local boards of education to determine if more than two candidates have filed for the same seat;

(ii) place the names of all candidates who have filed a declaration of candidacy for a local board of education seat on the nonpartisan section of the ballot if more than two candidates have filed for the same seat; and

(iii) determine the order of the local board of education candidates' names on the ballot in accordance with Section 20A-6-305.

(34)

(a) Before the deadline described in Subsection 20A-9-409(4)(c), the lieutenant governor shall provide to the county clerks:

- (i) a list of the names of all candidates for federal, constitutional, multi-county, single county, and county offices who have received certifications under Subsection (3), along with instructions on how those names shall appear on the primary election ballot in accordance with Section 20A-6-305; and
- (ii) a list of unopposed candidates for elective office ~~who have been nominated by a registered political party under Subsection (5)(c) and instruct the county clerks to exclude the unopposed candidates from the primary election ballot.~~

(b) A candidate for lieutenant governor and a candidate for governor campaigning as joint-ticket running mates shall appear jointly on the primary election ballot.

(c) After the county clerk receives the certified list from the lieutenant governor under Subsection (4)(a), the county clerk shall post or publish a primary election notice in substantially the following form:

“Notice is given that a primary election will be held Tuesday, June ____, ____ (year), to nominate ~~party~~ candidates for the ~~parties and candidates for nonpartisan local school board~~ positions listed on the primary ballot. The polling place for voting precinct ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day. Attest: county clerk.”

(45)

(a) ~~The top five candidates~~ A candidate who, at the nonpartisan open regular primary election, receives the highest number of votes cast for the office sought by the candidates will advance to the general election. ~~is:~~

(b) Voters may only vote for one candidate for each elective office at the nonpartisan open primary election. Ranked-choice voting and instant runoff voting shall not be employed at the nonpartisan open primary election.

- ~~(i) nominated for that office by the candidate's registered political party; or~~
- ~~(ii) for a nonpartisan local school board position, nominated for that office.~~

~~(b) If two or more candidates are to be elected to the office at the regular general election, those party candidates equal in number to positions to be filled who receive the highest number of votes at the regular primary election are the nominees of the candidates' party for those positions.~~

~~(e)~~

~~(i) As used in this Subsection (5)(c), a candidate is “unopposed” if:~~

~~(A) no individual other than the candidate receives a certification under Subsection (3) for the regular primary election ballot of the candidate's registered political party for a particular elective office; or~~

~~(B) for an office where more than one individual is to be elected or nominated, the number of candidates who receive certification under Subsection (3) for the regular primary election of the candidate's registered political party does not exceed the total number of candidates to be elected or nominated for that office.~~

~~(ii) A candidate who is unopposed for an elective office in the regular primary election of a registered political party is nominated by the party for that office without appearing on the primary election ballot.~~

(6)

~~(a) When a tie vote for fifth place occurs in any primary election for any national, state, or~~

~~other office that represents more than one county, the governor, lieutenant governor, and attorney general shall, at a public meeting called by the governor and in the presence of the candidates involved, select the nominee by lot cast in whatever manner the governor determines.~~

~~(b) When a tie vote occurs in any primary election for any county office, the district court judges of the district in which the county is located shall, at a public meeting called by the judges and in the presence of the candidates involved, select the nominee by lot cast in whatever manner the judges determine.~~

(57) The expense of providing all ballots, blanks, or other supplies to be used at any primary election provided for by this section, and all expenses necessarily incurred in the preparation for or the conduct of that primary election shall be paid out of the treasury of the county or state, in the same manner as for the regular general elections.

(68) An individual may not file a declaration of candidacy for a registered political party of which the individual is not a member, except to the extent that the registered political party permits otherwise under the registered political party's bylaws.

SECTION 16. ~~SECTION 20A-9-405~~ IS AMENDED TO READ

20A-9-405 Nomination petitions for ~~regular~~ nonpartisan open primary elections.

(1) This section shall apply to the form and circulation of nomination petitions for ~~regular~~ nonpartisan open primary elections described in Subsection 20A-9-403(3)(a).

(2) A candidate for elective office, and the agents of the candidate, may not circulate nomination petitions until the candidate has submitted a declaration of candidacy in accordance with Subsection 20A-9-202(1).

(3) The nomination petitions shall be in substantially the following form:

- (a) the petition shall be printed on paper 8-1/2 inches long and 11 inches wide;
- (b) the petition shall be ruled with a horizontal line 3/4 inch from the top, with the space above that line blank for purposes of binding;
- (c) the petition shall be headed by a caption stating the purpose of the petition and the name of the proposed candidate;
- (d) the petition shall feature the word "Warning" followed by the following statement in no less than eight-point, single leaded type: "It is a class A misdemeanor for anyone to knowingly sign a certificate of nomination signature sheet with any name other than the person's own name or more than once for the same candidate or if the person is not registered to vote in this state and does not intend to become registered to vote in this state before signatures are certified by a filing officer.";
- (e) the petition shall feature 10 lines spaced one-half inch apart and consecutively numbered one through 10;
- (f) the signature portion of the petition shall be divided into columns headed by the following titles:
 - (i) Registered Voter's Printed Name;
 - (ii) Signature of Registered Voter;
 - (iii) Party Affiliation of Registered Voter;
 - (iv) Birth Date or Age (Optional);

- (v) Street Address, City, Zip Code; and
 - (vi) Date of Signature; and
 - (g) a photograph of the candidate may appear on the nomination petition.
- (4) If one or more nomination petitions are bound together, a page shall be bound to the nomination petition(s) that features the following printed verification statement to be signed and dated by the petition circulator:
- “Verification
 State of Utah, County of ____
 I, ____, of ____, hereby state that:
 I am a Utah resident and am at least 18 years old;
 All the names that appear on the signature sheets bound to this page were, to the best of my knowledge, signed by the persons who professed to be the persons whose names appear on the signature sheets, and each of them signed the person’s name on the signature sheets in my presence;
 I believe that each has printed and signed the person’s name and written the person’s street address correctly, and that each signer is registered to vote in Utah or will register to vote in Utah before the county clerk certifies the signatures on the signature sheet.”
- (5) The lieutenant governor shall prepare and make public model nomination petition forms and associated instructions.
- (6) A nomination petition circulator must be at least 18 years old and a resident of the state, but may affiliate with any political party.
- (7) It is unlawful for any person to:
- (a) knowingly sign the nomination petition sheet described in Subsection (3):
 - (i) with any name other than the person’s own name;
 - (ii) more than once for the same candidate; or
 - (iii) if the person is not registered to vote in this state and does not intend to become registered to vote in this state prior to 5 p.m. on the final day in March;
 - (b) sign the verification of a certificate of nomination signature sheet described in Subsection (4) if the person:
 - (i) does not meet the residency requirements of Section 20A-2-105;
 - (ii) has not witnessed the signing by those persons whose names appear on the certificate of nomination signature sheet; or
 - (iii) knows that a person whose signature appears on the certificate of nomination signature sheet is not registered to vote in this state and does not intend to become registered to vote in this state;
 - (c) pay compensation to any person to sign a nomination petition; or
 - (d) pay compensation to any person to circulate a nomination petition, if the compensation is based directly on the number of signatures submitted to a filing officer rather than on the number of signatures verified or on some other basis.
- (8) Any person violating Subsection (7) is guilty of a class A misdemeanor.
- (9) Withdrawal of petition signatures shall not be permitted.

SECTION 17. SECTION 20A-9-406 IS REPEALED

~~20A-9-406 Qualified political party—Requirements and exemptions.~~

- ~~The following provisions apply to a qualified political party:~~
- ~~(1) the qualified political party shall, no later than 5 p.m. on November 30 of each odd-numbered year, certify to the lieutenant governor the identity of one or more registered political parties whose members may vote for the qualified political party's candidates and whether unaffiliated voters may vote for the qualified political party's candidates;~~
 - ~~(2) the following provisions do not apply to a nomination for the qualified political party:~~
 - ~~(a) Subsections 20A-9-403(1) through (3)(b) and (3)(d) through (4)(a);~~
 - ~~(b) Subsection 20A-9-403(5)(c); and~~
 - ~~(c) Section 20A-9-405;~~
 - ~~(3) an individual may only seek the nomination of the qualified political party by using a method described in Section 20A-9-407, Section 20A-9-408, or both;~~
 - ~~(4) the qualified political party shall comply with the provisions of Sections 20A-9-407, 20A-9-408, and 20A-9-409;~~
 - ~~(5) notwithstanding Subsection 20A-6-301(1)(a), (1)(e), or (2)(a), each election officer shall ensure that a ballot described in Section 20A-6-301 includes each individual nominated by a qualified political party:~~
 - ~~(a) under the qualified political party's name, if any; or~~
 - ~~(b) under the title of the qualified registered political party as designated by the qualified political party in the certification described in Subsection (1), or, if none is designated, then under some suitable title;~~
 - ~~(6) notwithstanding Subsection 20A-6-302(1)(a), each election officer shall ensure, for ballots in regular general elections, that each candidate who is nominated by the qualified political party is listed by party;~~
 - ~~(7) notwithstanding Subsection 20A-6-304(1)(e), each election officer shall ensure that the party designation of each candidate who is nominated by the qualified political party is displayed adjacent to the candidate's name on a mechanical ballot;~~
 - ~~(8) "candidates for elective office," defined in Subsection 20A-9-101(1)(a), also includes an individual who files a declaration of candidacy under Section 20A-9-407 or 20A-9-408 to run in a regular general election for a federal office, constitutional office, multicounty office, or county office;~~
 - ~~(9) an individual who is nominated by, or seeking the nomination of, the qualified political party is not required to comply with Subsection 20A-9-201(1)(c);~~
 - ~~(10) notwithstanding Subsection 20A-9-403(3), the qualified political party is entitled to have each of the qualified political party's candidates for elective office appear on the primary ballot of the qualified political party with an indication that each candidate is a candidate for the qualified political party;~~
 - ~~(11) notwithstanding Subsection 20A-9-403(4)(a), the lieutenant governor shall include on the list provided by the lieutenant governor to the county clerks:~~
 - ~~(a) the names of all candidates of the qualified political party for federal, constitutional, multicounty, and county offices; and~~
 - ~~(b) the names of unopposed candidates for elective office who have been nominated by the qualified political party and instruct the county clerks to exclude such candidates from the primary election ballot;~~
 - ~~(12) notwithstanding Subsection 20A-9-403(5)(c), a candidate who is unopposed for an elective office in the regular primary election of the qualified political party is nominated by the party for~~

~~that office without appearing on the primary ballot; and~~
~~(13) notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and Section 20A-9-405, the qualified political party is entitled to have the names of its candidates for elective office featured with party affiliation on the ballot at a regular general election.~~

SECTION 18. SECTION 20A-9-407 IS REPEALED

~~20A-9-407 Convention process to seek the nomination of a qualified political party.~~

~~(1) This section describes the requirements for a member of a qualified political party who is seeking the nomination of a qualified political party for an elective office through the qualified political party's convention process.~~

~~(2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy for a member of a qualified political party who is nominated by, or who is seeking the nomination of, the qualified political party under this section shall be substantially as described in Section 20A-9-408.5.~~

~~(3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection 20A-9-202(4), a member of a qualified political party who, under this section, is seeking the nomination of the qualified political party for an elective office that is to be filled at the next general election, shall:~~

~~(a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy in person with the filing officer on or after the second Friday in March and before 5 p.m. on the third Thursday in March before the next regular general election; and~~

~~(b) pay the filing fee.~~

~~(4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party who, under this section, is seeking the nomination of the qualified political party for the office of district attorney within a multicounty prosecution district that is to be filled at the next general election shall:~~

~~(a) file a declaration of candidacy with the county clerk designated in the interlocal agreement creating the prosecution district on or after the second Friday in March and before 5 p.m. on the third Thursday in March before the next regular general election; and~~

~~(b) pay the filing fee.~~

~~(5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who files as the joint ticket running mate of an individual who is nominated by a qualified political party, under this section, for the office of governor shall, before the deadline described in Subsection 20A-9-202(1)(b), file a declaration of candidacy and submit a letter from the candidate for governor that names the lieutenant governor candidate as a joint ticket running mate.~~

~~(6)~~

~~(a) A qualified political party that nominates a candidate under this section shall certify the name of the candidate to the lieutenant governor before the deadline described in Subsection 20A-9-202(1)(b).~~

~~(b) The lieutenant governor shall include, in the primary ballot certification or, for a race where a primary is not held because the candidate is unopposed, in the general election ballot certification, the name of each candidate nominated by a qualified political party under this section.~~

(7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who is nominated by a qualified political party under this section, designate the qualified political party that nominated the candidate.

SECTION 19. ~~SECTION 20A-9-408~~ IS AMENDED TO READ

20A-9-408 Signature-gathering process to appear on the ballot with a self-designated registered political party preference ~~seek the nomination of a qualified political party.~~

(1) This section describes the requirements for a candidate member of a registered qualified political party who is seeking to appear on the ballot with a self-designated registered political party preference ~~the nomination of the qualified political party~~ for an elective office through the signature-gathering process described in this section.

(2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy for a self-designated registered political party preference of a qualified political party who is nominated by, or who is seeking the nomination of, ~~the qualified political party~~ under this section shall be substantially as described in Section 20A-9-408.5.

(3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection 20A-9-202(4), a candidate member of a qualified political party who, under this section, is seeking to appear on the ballot with a self-designated registered political party preference ~~the nomination of the qualified political party~~ for an elective office that is to be filled at the next general election shall:

(a) within the period beginning on January 1 before the next regular general election and ending at 5 p.m. on the third Thursday in March of the same year, and before gathering signatures under this section, file with the filing officer on a form approved by the lieutenant governor a notice of intent to gather signatures for candidacy that includes:

- (i) the name of the candidate member who will attempt to become a candidate appearing on the ballot with a self-designated for a registered political party preference under this section;
- (ii) the name of the registered political party for which the candidate member is seeking to appear on the ballot with a self-designated preference ~~nomination~~;
- (iii) the office for which the candidate member is seeking to become a candidate;
- (iv) the address and telephone number of the candidate member; and
- (v) other information required by the lieutenant governor;

(b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in person, with the filing officer on or after the second Friday in March and before 5 p.m. on the third Thursday in March before the next regular general election; and

(c) pay the filing fee.

(4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a registered qualified political party who, under this section, is seeking to appear on the ballot with a self-designated registered political party preference ~~the nomination of the qualified political party~~ for the office of district attorney within a multicounty prosecution district that is to be filled at the next general election shall:

(a) on or after January 1 before the next regular general election, and before gathering signatures under this section, file with the filing officer on a form approved by the lieutenant governor a notice of intent to gather signatures for candidacy that includes:

- (i) the name of the candidate member who will attempt to appear on the ballot with a self-designated ~~become a candidate for a~~ registered political party preference under this section;
 - (ii) the name of the registered political party for which the candidate member is seeking to appear on the ballot with a self-designated preference nomination;
 - (iii) the office for which the candidate member is seeking to become a candidate;
 - (iv) the address and telephone number of the candidate member; and
 - (v) other information required by the lieutenant governor;
 - (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in person, with the filing officer on or after the second Friday in March and before 5 p.m. on the third Thursday in March before the next regular general election; and
 - (c) pay the filing fee.
- (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who files as the joint-ticket running mate of an individual who has a self-designated registered political party preference ~~is nominated by a qualified political party~~, under this section, for the office of governor shall, before the deadline described in Subsection 20A-9-202(1)(b), file a declaration of candidacy and submit a letter from the candidate for governor that names the lieutenant governor candidate as a joint-ticket running mate.
- (6) The lieutenant governor shall ensure that the certification described in Subsection 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party under this section.
- (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who has validly self-designated a registered political party preference ~~is nominated by a qualified political party~~ under this section, designate the self-designated registered ~~qualified~~ political party for that ~~nominated the~~ candidate.
- (8) A candidate member of a qualified political party may appear on the ballot with a self-designated registered political party preference ~~seek the nomination of the qualified political party~~ for an elective office by:
- (a) complying with the requirements described in this section; and
 - (b) collecting signatures, on a form approved by the lieutenant governor, during the period beginning on January 1 of an even-numbered year and ending at 5 p.m. on April 15 preceding the nonpartisan open primary election 14 days before the day on which the qualified political party's convention for the office is held, in the following amounts:
 - (i) for a statewide race, 9,000-28,000 signatures of registered voters in the state who are registered members of ~~permitted by the candidate's self-designated preferred~~ qualified political party, or an amount of signatures equal to 3% of the number of registered members of the candidate's self-designated preferred political party on January 1 immediately following the last general election, whichever is less to vote for the qualified political party's candidates in a primary election;
 - (ii) for a congressional district race, 2,000-7,000 signatures of registered voters who are residents of the congressional district and are registered members of the candidate's self-designated preferred ~~permitted by the qualified political party~~, or an amount of signatures equal to 3% of the number of registered members of the candidate's self-designated preferred political party in that congressional district on January 1 immediately following the last general election, whichever is less to vote for the qualified political party's candidates in a primary election;
 - (iii) for a state Senate district race, 650 ~~2,000~~ signatures of registered voters who are

residents of the state Senate district and are registered members of the candidate's self-designated preferred ~~permitted by the qualified political party, or an amount of signatures equal to 3% of the number of registered members of the candidate's self-designated preferred political party in that state Senate district on January 1 immediately following the last general election, whichever is less to vote for the qualified political party's candidates in a primary election;~~

(iv) for a state House district race, 300 ~~1,000~~ signatures of registered voters who are residents of the state House district and are registered members of the candidate's self-designated preferred ~~permitted by the qualified political party, or an amount of signatures equal to 3% of the number of registered members of the candidate's self-designated preferred political party in that state House district on January 1 immediately following the last general election, whichever is less to vote for the qualified political party's candidates in a primary election;~~

(v) for a State Board of Education race, the lesser of:

(A) 650 ~~2,000~~ signatures of registered voters who are residents of the State Board of Education district and are permitted by the qualified political party to vote for the ~~qualified political party's candidates in a primary election;~~ or

(B) 3% of the registered voters of ~~the qualified political party~~ who are residents of the applicable State Board of Education district on January 1 immediately following the last general election; and

(vi) for a county office race, signatures of 3% of the registered voters who are residents of the area permitted to vote for the county office on January 1 immediately following the last general election ~~and are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election.~~

(9)

(a) In order for a candidate member of the qualified political party to self designate a registered political party preference ~~qualify as a candidate for the qualified political party's nomination~~ for an elective office under this section, the candidate member shall:

(i) collect the signatures on a form approved by the lieutenant governor, using the same circulation and verification requirements described in Sections 20A-7-204 and 20A-7-205; and

(ii) submit the signatures to the election officer before 5 p.m. on April 15 preceding the nonpartisan open primary election ~~no later than 14 days before the day on which the qualified political party holds the party's convention to select candidates, for the elective office, for the qualified political party's nomination.~~

(b) An individual may not gather signatures under this section until after the individual files a notice of intent to gather signatures for candidacy described in this section.

(c) An individual who files a notice of intent to gather signatures for candidacy, described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files the notice of intent to gather signatures for candidacy:

(i) required to comply with the reporting requirements that a candidate for office is required to comply with; and

(ii) subject to the same enforcement provisions, and civil and criminal penalties, that apply to a candidate for office in relation to the reporting requirements described in Subsection (9)(c)(i).

(d) Upon timely receipt of the signatures described in Subsections (8) and (9)(a), the election

officer shall, no later than the earlier of 14 days after the day on which the election officer receives the signatures, ~~or one day before the day on which the qualified political party holds a the convention to select a nominee for the elective office to which the signature packets relate:~~

(i) check the name of each individual who completes the verification for a signature packet to determine whether each individual is a resident of Utah and is at least 18 years old;

(ii) submit the name of each individual described in Subsection (9)(d)(i) who is not a Utah resident or who is not at least 18 years old to the attorney general and the county attorney;

and

(iii) determine whether each signer is a registered voter who is qualified to sign the petition, using the same method, described in Section 20A-7-206.3, used to verify a signature on a petition; and

(iv) certify whether each name is that of a registered voter who is qualified to sign the signature packet.

~~(e) Upon timely receipt of the signatures described in Subsections (8) and (9)(a), the election officer shall, no later than one day before the day on which the qualified political party holds a the convention to select a nominee for the elective office to which the signature packets relate, notify the qualified political party and the lieutenant governor of the name of each member of the qualified political party who qualifies as a nominee of the qualified political party, under this section, for the elective office to which the convention relates.~~

~~(e f)~~ Upon receipt of a notice of intent to gather signatures for candidacy described in this section, the lieutenant governor shall post the notice of intent to gather signatures for candidacy on the lieutenant governor's website in the same location that the lieutenant governor posts a declaration of candidacy.

SECTION 20. ~~SECTION 20A-9-408.5~~ IS AMENDED TO READ

20A-9-408.5 Declaration of candidacy form for candidates with a self-designated registered qualified political party preference.

The declaration of candidacy form described in Sections 20A-9-407 and 20A-9-408 shall:

(1) be substantially as follows:

"State of Utah, County of _____

I, _____, declare my intention of becoming a candidate for the office of _____ ~~as a~~ with the self-designated registered party preference of ~~candidate for the~~ _____ party. I do solemnly swear, under penalty of perjury, that: I will meet the qualifications to hold the office, both legally and constitutionally, if selected; I reside at _____ in the City or Town of _____, Utah, Zip Code _____, Phone No. _____; I will not knowingly violate any law governing campaigns and elections; I will file all campaign financial disclosure reports as required by law; and I understand that failure to do so will result in my disqualification as a candidate for this office and removal of my name from the ballot. The mailing address that I designate for receiving official election notices is _____.

Subscribed and sworn before me this _____ (month\ day\ year). Notary Public (or

other officer qualified to administer oath).”;

(2) direct the candidate to state, in the sworn statement described in Subsection (1):

(a) ~~the candidate’s self designated registered political party preference the registered political party of which the candidate is a member; or~~

(b) that the candidate is not self designating a member of a registered political party preference; and

(3) explain that the candidate’s self designated registered political party preference is not an endorsement by that registered political party and does not establish the candidate’s membership in, or affiliation with, that registered political party; ~~direct the candidate to indicate whether the candidate is seeking the nomination using:~~

(a) ~~the convention process described in Section 20A-9-407;~~

(b) ~~the signature gathering process described in Section 20A-9-408; or~~

(c) ~~both processes described in Subsections (3)(a) and (b).~~

SECTION 21. ~~SECTION 20A-9-409 IS REPEALED~~

~~20A-9-409 Primary election provisions relating to qualified political party.~~

(1) ~~The regular primary election is held on the date specified in Section 20A-1-201.5.~~

(2)

(a) ~~A qualified political party that nominates one or more candidates for an elective office under Section 20A-9-407 and does not have a candidate qualify as a candidate for that office under Section 20A-9-408, may, but is not required to, participate in the primary election for that office.~~

(b) ~~A qualified political party that has only one candidate qualify as a candidate for an elective office under Section 20A-9-408 and does not nominate a candidate for that office under Section 20A-9-407, may, but is not required to, participate in the primary election for that office.~~

(c) ~~A qualified political party that nominates one or more candidates for an elective office under Section 20A-9-407 and has one or more candidates qualify as a candidate for that office under Section 20A-9-408 shall participate in the primary election for that office.~~

(d) ~~A qualified political party that has two or more candidates qualify as candidates for an elective office under Section 20A-9-408 and does not nominate a candidate for that office under Section 20A-9-407 shall participate in the primary election for that office.~~

(3) ~~Notwithstanding Subsection (2), in an opt in county, as defined in Section 17-52a-201 or 17-52a-202, a qualified political party shall participate in the primary election for a county commission office if:~~

(a) ~~there is more than one:~~

(i) ~~open position as defined in Section 17-52a-201; or~~

(ii) ~~midterm vacancy as defined in Section 17-52a-201; and~~

(b) ~~the number of candidates nominated under Section 20A-9-407 or qualified under Section 20A-9-408 for the respective open positions or midterm vacancies exceeds the number of respective open positions or midterm vacancies.~~

(4)

(a) ~~As used in this Subsection (4), a candidate is “unopposed” if:~~

(i) ~~no individual other than the candidate receives a certification, from the appropriate filing~~

- officer, for the regular primary election ballot of the candidate's registered political party for a particular elective office; or
- (ii) for an office where more than one individual is to be elected or nominated, the number of candidates who receive certification, from the appropriate filing officer, for the regular primary election of the candidate's registered political party does not exceed the total number of candidates to be elected or nominated for that office.
- (b) Before the deadline described in Subsection (4)(c), the lieutenant governor shall:
- (i) provide to the county clerks:
- (A) a list of the names of all candidates for federal, constitutional, multi-county, single-county, and county offices who have received certifications from the appropriate filing officer, along with instructions on how those names shall appear on the primary election ballot in accordance with Section 20A-6-305; and
- (B) a list of unopposed candidates for elective office who have been nominated by a registered political party; and
- (ii) instruct the county clerks to exclude unopposed candidates from the primary election ballot.
- (c) The deadline described in Subsection (4)(b) is 5 p.m. on the first Wednesday after the third Saturday in April.

SECTION 22. ~~SECTION 20A-9-411~~ IS AMENDED TO READ

20A-9-411 Signing multiple nomination petitions.

- (1) An individual who signs a petition, described in Section 20A-9-403 or 20A-9-408, to nominate a candidate may ~~not also~~ sign a petition to nominate another candidate for the same office. The election officer may only count an individual's signature once for each candidate for whom they sign a nomination petition.
- (2) ~~If an individual signs more than one petition in violation of Subsection (1), the election officer may only count the signature on the first petition that the election officer reviews for that office.~~

SECTION 23. ~~SECTION 20A-9-501~~ IS AMENDED TO READ

20A-9-501 Candidates who do not self designate as having a registered political party preference ~~not affiliated with a party~~ -- General requirements.

- (1)
- (a) Candidates for public office who do not wish to self designate a registered political party preference on the ballot ~~affiliate with a registered political party~~ may obtain a position on the nonpartisan open primary election ballot by following the procedures and requirements of this part.
- (b) Upon compliance with the provisions of this part, the ~~unaffiliated~~ candidate who does not self designate a registered political party preference is entitled to all the rights and subject to all the penalties of candidates ~~selected by a registered political party in the nonpartisan open~~

primary election.

(2) ~~A candidate who has filed a declaration of candidacy may not file a certificate of nomination as an unaffiliated candidate in the same year.~~

(3) The courts shall construe this part liberally so as to give ~~unaffiliated~~ candidates for public office who do not self designate as members of a registered party every reasonable opportunity to make their candidacy effective for the nonpartisan open primary election.

(34) ~~Unaffiliated e~~ Aside from write-in candidates, candidates may only qualify for a general election through participation in nonpartisan open primary election.

SECTION 24. **SECTION 20A-9-502 IS AMENDED TO READ**

20A-9-502 Certificate of nomination -- Contents -- Circulation -- Verification -- Criminal penalty -- Signature Requirements.

(1) The candidate shall:

(a) prepare a certificate of nomination in substantially the following form:

“State of Utah, County of _____
I, _____, declare my intention of becoming an ~~unaffiliated~~ candidate for ~~the political group designated as _____~~, for the office of _____, with no self designated registered political party preference. I do solemnly swear that I can qualify to hold that office both legally and constitutionally if selected, and that I reside at _____ Street, in the city of _____, county of _____, state of _____, zip code _____, phone _____, and that I am providing, or have provided, the required number of holographic signatures of registered voters required by law; that as a candidate at the next election I will not knowingly violate any election or campaign law; that, if filing via a designated agent for an office other than president of the United States, I will be out of the state of Utah during the entire candidate filing period; I will file all campaign financial disclosure reports as required by law; and I understand that failure to do so will result in my disqualification as a candidate for this office and removal of my name from the ballot.

Subscribed and sworn to before me this _____ (month\ day\ year).

Notary Public (or other officer
qualified to administer oaths);

(b) bind signature sheets to the certificate that:

- (i) are printed on sheets of paper 8-1/2 inches long and 11 inches wide;
- (ii) are ruled with a horizontal line 3/4 inch from the top, with the space above that line blank for the purpose of binding;
- (iii) contain the name of the proposed candidate and the words “~~Unaffiliated~~-Candidate Certificate of Nomination Petition” printed directly below the horizontal line;
- (iv) contain the word “Warning” printed directly under the words described in Subsection (1)(b)(iii);
- (v) contain, to the right of the word “Warning,” the following statement printed in not less than eight-point, single leaded type:

“It is a class A misdemeanor for anyone to knowingly sign a certificate of

nomination signature sheet with any name other than the person's own name or more than once for the same candidate or if the person is not registered to vote in this state and does not intend to become registered to vote in this state before the county clerk certifies the signatures.”;

(vi) contain the following statement directly under the statement described in Subsection (1)(b)(v):

“Each signer says:

I have personally signed this petition with a holographic signature; I am registered to vote in Utah or intend to become registered to vote in Utah before the county clerk certifies my signature; and My street address is written correctly after my name.”;

(vii) contain horizontally ruled lines, 3/8 inch apart under the statement described in Subsection (1)(b)(vi); and

(viii) be vertically divided into columns as follows:

(A) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be headed with “For Office Use Only,” and be subdivided with a light vertical line down the middle;

(B) the next column shall be 2-1/2 inches wide, headed “Registered Voter’s Printed Name (must be legible to be counted)”;

(C) the next column shall be 2-1/2 inches wide, headed “Holographic Signature of Registered Voter”;

(D) the next column shall be one inch wide, headed “Birth Date or Age (Optional)”;

(E) the final column shall be 4-3/8 inches wide, headed “Street Address, City, Zip Code”;

and
(F) at the bottom of the sheet, contain the following statement: “Birth date or age information is not required, but it may be used to verify your identity with voter registration records. If you choose not to provide it, your signature may not be certified as a valid signature if you change your address before petition signatures are certified or if the information you provide does not match your voter registration records.”; and

(c) bind a final page to one or more signature sheets that are bound together that contains, except as provided by Subsection (3), the following printed statement:

“Verification

State of Utah, County of _____

I, _____, of _____, hereby state that:

I am a Utah resident and am at least 18 years old;

All the names that appear on the signature sheets bound to this page were signed by persons who professed to be the persons whose names appear on the signature sheets, and each of them signed the person’s name on the signature sheets in my presence;

I believe that each has printed and signed the person’s name and written the person’s street address correctly, and that each signer is registered to vote in Utah or will register to vote in Utah before the county clerk certifies the signatures on the signature sheet.

(Signature)

(Residence

Address)

(Date)”.

(2) An agent designated to file a certificate of nomination under Subsection 20A-9-503(1)(b)

may not sign the form described in Subsection (1)(a).

(3)

(a) The candidate shall circulate the nomination petition and ensure that the person in whose presence each signature sheet is signed:

- (i) is at least 18 years old;
- (ii) except as provided by Subsection (3)(b), meets the residency requirements of Section 20A-2-105; and
- (iii) verifies each signature sheet by completing the verification bound to one or more signature sheets that are bound together.

(b) A person who is not a resident may sign the verification on a petition for an unaffiliated candidate for the office of president of the United States.

(c) A person may not sign the verification if the person signed a signature sheet bound to the verification.

(4)

(a) It is unlawful for any person to:

(i) knowingly sign a certificate of nomination signature sheet:

- (A) with any name other than the person's own name;
- (B) more than once for the same candidate; or
- (C) if the person is not registered to vote in this state and does not intend to become registered to vote in this state before the county clerk certifies the signatures; or

(ii) sign the verification of a certificate of nomination signature sheet if the person:

- (A) except as provided by Subsection (3)(b), does not meet the residency requirements of Section 20A-2-105;
- (B) has not witnessed the signing by those persons whose names appear on the certificate of nomination signature sheet; or
- (C) knows that a person whose signature appears on the certificate of nomination signature sheet is not registered to vote in this state and does not intend to become registered to vote in this state.

(b) Any person violating this Subsection (4) is guilty of a class A misdemeanor.

(5)

(a) The candidate shall submit the petition and signature sheets to the county clerk for certification when the petition has been completed by:

(i) at least 9,000 ~~1,000~~ registered voters residing within the state when the nomination is for an office to be filled by the voters of the entire state;

(ii) for a congressional district race, 2,000 registered voters who are residents of the congressional district;

(iii) for a state Senate district race, 650 registered voters who are residents of the state Senate district;

(iv) for a state House district race, 300 registered voters who are residents of the state House district;

(v) for a State Board of Education race, the lesser of:

(A) 650 registered voters who are residents of the State Board of Education District; or

(B) 3% of the registered voters who are residents of the applicable State Board of Education District on January 1 immediately following the last general election; and

(vi) for county office race, signatures of 3% of the registered voters who are residents of the area permitted to vote for the county office on January 1 immediately following the last

general election.

~~(ii) at least 300 registered voters residing within a political division or at least 5% of the registered voters residing within a political division, whichever is less, when the nomination is for an office to be filled by the voters of any political division smaller than the state.~~

(b) In reviewing the petition, the county clerk shall count and certify only those persons who signed the petition with a holographic signature who:

(i) are registered voters within the political division that the candidate seeks to represent;
and

~~(ii) did not sign any other certificate of nomination for that office.~~

(c) Registered voters are permitted to sign certificates of nomination for multiple candidates for the same office.

(d) The candidate may supplement or amend the certificate of nomination at any time on or before the filing deadline.

SECTION 25. ~~SECTION 20A-9-504~~ IS AMENDED TO READ

20A-9-504 Unaffiliated candidates -- Governor and president of the United States.

(1)

(a) Each ~~unaffiliated~~ candidate for governor who does not self designate a registered political party preference and who qualifies for the general election in the nonpartisan open primary election shall, before 5 p.m. no later than July 1 of the regular general election year, select a running mate to file as an unaffiliated candidate for the office of lieutenant governor.

(b) The ~~unaffiliated~~ lieutenant governor candidate shall, before 5 p.m. no later than July 1 of the regular general election year, file as an ~~unaffiliated~~ candidate who does not have a self-designated registered political party preference by following the procedures and requirements of this part.

(2)

(a) Each unaffiliated candidate for president of the United States shall, before 5 p.m. no later than August 15 of a regular general election year, select a running mate to file as an unaffiliated candidate for the office of vice president of the United States.

(b) Before 5 p.m. no later than August 15 of a regular general election year, the unaffiliated candidate for vice president of the United States described in Subsection (2)(a) shall comply with the requirements of Subsection 20A-9-202(7).

SECTION 26. ~~SECTION 20A-9-701~~ IS AMENDED TO READ

20A-9-701 Certification of party candidates to county clerks -- Display on ballot.

(1) No later than August 31 of each regular general election year, the lieutenant governor shall certify to each county clerk, for offices to be voted upon at the regular general election in that county clerk's county:

(a) the names of each candidate nominated under ~~Subsection 20A-9-202(4)~~ or Subsection 20A-9-403(5); and

- (b) the names of the candidates for president and vice president that are certified by the registered political party as the party's nominees.
- (2) The names shall be certified by the lieutenant governor and shall be displayed on the ballot as they are provided on the candidate's declaration of candidacy. ~~No other names may appear on the ballot as affiliated with, endorsed by, or nominated by any other registered political party, political party, or other political group.~~

UTAHNS FOR FAIR ELECTIONS INITIATIVE

Persons gathering signatures for the petition may be paid for doing so.